

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 116

CASE NO. 74-12

September 11, 1975

Pursuant to notice, a public hearing of the Commission was held on June 11, 1975, to consider the application by Walter H. Skidmore and others for an amendment to the Zoning Map as follows:

Change from R-5-A to C-1, Lots 1-14, in Square 1730, located at the intersection of River Road, Brandywine and 42nd Streets, N.W.

FINDINGS OF FACT

1. The site of the proposed amendment to the Zoning Map is located at the intersection of River Road, 42nd Street and Brandywine Street, N.W.

2. The area of the site is approximately 33,606 square feet. The subject site is presently zoned R-5-A. The subject site is presently vacant. The topography of the site slopes steeply downward to the north and northwest. The applicant proposes to develop the site with offices and structures that are 3 stories high with underground parking (TR. 38).

3. The proposed amendment would change the existing zoning of the site from R-5-A (low density apartment houses - percentage of lot occupancy 40, floor area ratio of 0.9, and 3 stories or 40 feet in height) to C-1, (neighborhood shopping -

floor area ratio of 1.0, 3 stories or 40 feet in height, residential use limited to floor area ratio of 0.9 and percentage of lot occupancy of 40).

4. The proposed amendment would expand the list of permitted uses to include as a matter of right commercial service and retail type uses in addition to residential uses. The floor area ratio and maximum bulk requirements of the C-1 and R-5-A zone districts are comparable. The R-5-A and C-1 zone districts both permit 3 stories and 40 feet building height. The C-1 zone district permits a floor area ratio of 1.0, whereas the R-5-A district permits a floor area ratio of 0.9 (TR. 5).

5. The said site is located within the Tenley Circle Metro Impact Area. The Metro Impact Study, that has been underway since August 1974, indicates that it is desirable to have a transition from the medium-density commercial activity along Wisconsin Avenue to a lower-density development as one moves to the R-1-B and R-2 residential zone districts west of Wisconsin Avenue. The said site is located in the vicinity of a C-3-A zone district (medium bulk major business and employment center-floor area ratio of 3.0, height limit of 60 feet) on the east and southeast side of Wisconsin Avenue and R-1-B, R-2, and R-4 zone districts provide low density residential dwelling units from 8.5 to 24 dwelling units per net acre on the west and northwest sides (TR. 6-7).

6. The applicant intends to develop the subject site for general office use, with structures designed to resemble townhouses (TR. 7).

7. The uses permitted in the C-1 zone district are appropriate for the subject site and will provide an acceptable use permitted between the medium density commercial center to the immediate east of the site and the low density residential development to the immediate west of the site (TR. 8).

8. The Tenley Circle Advisory Board testified in support of the application, expressing concern that care be taken to preserve trees on the property, to construct facilities harmonious with the neighborhood and to provide ample parking on the site (TR. 51-57).

9. The Friendship Citizens Association testified in support of the proposed zone change (TR. 72-78).

10. The Friendship Neighborhood Coalition presented testimony opposing the proposed zone change (TR. 99-128).

11. Two persons testified in support of the proposed map amendment (TR. 132-137).

12. Three persons testified in opposition to the proposed map amendment (TR. 161).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Commission hereby makes the following Conclusions of Law:

1. The height, bulk, density, and uses of the proposed C-1 zone district is appropriate for the site because it would provide for a transition between the medium density commercial and low density residential activities in the area by allowing a lower density commercial development which is compatible with existing uses in the area.

2. The proposed zone change is appropriate because it would promote health and the general welfare, prevent undue concentration of population and the overcrowding of land, would promote such distribution of population and the uses of land as would tend to create conditions favorable to the health, safety, transportation, protection of property, provide recreational opportunities, and promote efficient supply of public services.

3. The proposed zone change is in harmony with the intent, purpose, and integrity of the comprehensive zone plan as embodied in the Zoning Regulations and Map.

4. The approval of this zone change is in accordance with the Zoning Regulations of the District of Columbia, as amended, and the Zoning Act (Act of June 20, 1938, 52 Stat. 797), as amended.

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DECISION

Upon consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission hereby ORDERS APPROVAL of the following amendment of the Zoning Map:

Change from R-5-A to C-1, Lots 1-14,
in Square 1730, located at the inter-
section of River Road, Brandywine and
42nd Streets, N.W.

BY UNANIMOUS DECISION OF THE ZONING COMMISSION

ATTEST:



JAMES E. MILLER
Acting Executive Secretary